

RIEMER & ASSOCIATES LLC
Attorneys for Plaintiff
Office and Post Office Address
60 East 42nd Street, Suite 1750
New York, New York 10165
(212) 297-0700

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JAMES E. MUGAN

09 CV 6711 (NRB)(FM)

Plaintiff,

REPLY AFFIRMATION OF
SCOTT M. RIEMER

-against-

HARTFORD LIFE GROUP INSURANCE COMPANY

Defendant.
-----X

SCOTT M. RIEMER, an attorney duly admitted to practice in the Courts of this State, does hereby affirm to be true under the penalties of perjury as follows:

1. I am counsel for plaintiff in the above-referenced action. I submit this affirmation in further support of James E. Mugan's motion for summary judgment.
2. Attached hereto as Exhibit D is a true and correct copy of portions of a website, <http://online.onetcenter.org> created for the United States Department of Labor, Employment & Training Administration. The website permits the public to search the DOL occupational database. On August 6, 2010, I searched the database for details on the following occupations, coinciding with the three occupations specified by Hartford in its termination letter: 41-3031.01, 11-3011.00, and 11-1011.00. Exhibit D consists of the printouts of each such search.
3. Attached hereto as Exhibit E is a true and correct copy of Hartford's organizational chart dated January 27, 2009. The organizational chart was produced by Hartford

in the case of *Jacoby v. Hartford Life and Accident Insurance Company*, 07 CV 4627 (LAK)(RLE).

4. Exhibit E demonstrates that Hartford's appeal unit is not independent from its claims unit. The head of the appeals unit, Bruce Luddy reports to Barbara Campbell, who is a direct report of Glenn Shapiro, the head of the claims department.

5. Exhibit E also demonstrates that there is not complete separation between claims and the finance department at Hartford. This is demonstrated by the fact that an assistant vice president of financial operations, Mike Nardello, has a dotted line reporting relationship with the head of claims, Glenn Shapiro.

6. Attached hereto as Exhibit F is a true and correct copy of Hartford's "Business Performance Award & Individual Performance Award." This document was also produced in the Jacoby case.

7. Although the document is stamped "CONFIDENTIAL," it is not confidential and it is not subject to any protective order or confidentiality agreement.

WHEREFORE, Mugan's motion should be granted in its entirety.

Dated: New York, New York
August 13, 2010

/s/Scott M. Riemer
SCOTT M. RIEMER (SR5005)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 13, 2010 I served a true and complete copy of the foregoing reply affirmation by transmitting the same by electronic mail to the following individuals at the e-mail addresses indicated:

Michael H. Bernstein, Esq.
Sedgwick Detert Moran & Arnold LLP
125 Broad Street, 39th Floor
New York, New York 10004-2400
Tel.: (212) 422-0202
Fax: (212) 422-0925
Attorneys for Defendant
Hartford Life Group Insurance Company

I also certify that this document filed through the ECF system will be sent electronically to all registered participants on August 13, 2010.

Dated: New York, New York
August 13, 2010

/s/Scott M. Riemer
Scott M. Riemer (SR5005)